

Case 401. 58-year-old self-employed construction worker was replacing floodlights on a home when he fell approximately 13 feet to a concrete surface.

A 58-year-old male self-employed construction worker was replacing floodlights on a home when he fell approximately 13 feet to a concrete surface. At the time of the incident, the decedent was working for another company. The incident was unwitnessed. The homeowner heard a noise and investigated. The homeowner found the decedent lying on his back on the cement. The homeowner notified the decedent's coworkers, who were working on the opposite side of the home. The decedent was working from an Alum-A-Pole pump jack scaffold system, which had been erected by the firm's owner. To access the scaffold, the decedent used the top section of an extension ladder which had damaged rungs. It is unknown if the decedent fell while working from the scaffold platform or if he fell from the ladder while climbing up to the scaffold platform. The ladder was found lying on the ground. Weather data indicated wind speeds between 19-20 knots (20-23 mph) and wind gusts between 21-22.9 knots (24-26mph). He died from head injuries sustained at the time of the fall.

MIOSHA Construction Safety and Health Division issued the following Serious citations to the employer at the conclusion of its investigation:

SERIOUS: SERIOUS: CS Part 1, General Rules 408.4011

An employer shall develop, maintain and coordinate with employees an accident prevention program, a copy which shall be available at the worksite.

Employee fell approximately 13 feet without proper training on hazard assessment through a company accident prevention program, while engaged in siding activities.

SERIOUS: CS Part 12, Scaffolds and Scaffold Platforms

- 408.41209(1): This rule supplements and clarifies the requirements of R 408.40114(2) of construction safety standard Part 1 General Rules as the rule relates to the hazards of work on scaffolds. An employer shall have each employee who performs work on a scaffold trained by a person qualified in scaffold safety. The training shall enable an employee to recognize the hazards associated with the type of scaffold being used and to understand the procedures to control or minimize the hazards. The training shall include the following areas as applicable:
 - (a) The nature of any electrical hazards, fall hazards and falling object hazards in the work area.
 - (b) The correct procedures for dealing with electrical hazards and or erecting, maintaining, or disassembling the fall protection systems and falling object protection systems being used
 - (c) The proper use of the scaffold and the proper handling of materials on the scaffold
 - (d) The maximum intended load and the load-carrying capacities of the scaffolds used.

(e) Any other pertinent requirements.

Employee fell approximately 13 feet without scaffold training provided by employer, while engaged in siding activities.

- A) No scaffold inspection prior to work day beginning. 1210.6
- B) Scaffold uprights not plumb. 1210.9
- C) Missing base plate on south most upright of east scaffold. 1210.10
- D) Improper guardrail installation (missing mid-rails, end rails). 1213.1
- E) Platform distance from work surface exceeded 14 inches. 1217.12
- F) South most upright of east scaffold not properly secured at base of equivalent. 1227.2.a

- 408.41211(1): Access to a scaffold platform shall be provided by 1 or more of the following:
 - (a) A ladder that conforms to R 408.41101 et seq.
 - (b) Hook-on or attachable metal ladders that are specifically designed for use in construction with manufactured types of scaffolds. If hook-on or attachable metal ladders are used as access to or egress from, a work platform that is more than 35 feet above the ground or floor level then a ladder safety device shall be installed or the ladders shall be offset with landing platforms and guardrails that are installed at not more than 35-foot intervals.
 - (c) Step or hook-on, stair-type accessories that are specifically designed for use with appropriate types of scaffolds.
 - (d) Direct access from an adjacent scaffold, the structure or personal hoist. The direct access to or from another surface shall be used only when the scaffold is not more than 14 inches (36 cm) horizontally and not more than 24 inches (61 cm) vertically from the other surface.
 - (e) A ramp, runway or stairway that conforms to R 408.42121 et seq.

Employee fell approximately 13 feet without proper access to scaffold, while engaged in siding activities.

- A) No ladder training provided to employees. 1112.1
- B) Inspection of the ladder before use was not performed. 1121.2
- C) The ladder had previous defects and was not removed from service. 1121.3
- D) Ladder used did not have safety feet installed. 1124.2
- E) Proper erection of an extension ladder was not utilized. 1124.12